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EXAMINER

VUONG, BACH Q

ART UNIT	PAPER NUMBER
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2653

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5

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/813,803

Applicant(s)

MORI, TARO

Examiner

Bach Q Vuong

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,6,8 and 9 is/are rejected.
- 7) ☒ Claim(s) 3-5,7 and 10-12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 6, 8 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Lee (US 5,748,835).

Lee, according to Figs. 1-6, shows an optical recording apparatus comprising all features of the claimed invention.

Regarding claim 1, see Figs. 1-6 which show a compressed audio data reproduction apparatus comprising: a plurality of decoders (see Audio decoder 212, 213 and 600 in Fig. 6) configured to decode compressed audio data of respective exclusive compression forms; a compression form identifying portion (see system decoder 115 and controller 120 in Fig. 1) configured to identify the compression form based on header information of the compressed audio data; and a selector (see switch 211 in Fig. 6) configured to select the decoders corresponding to the compression form identified by the compression form identifying portion from the plurality of decoders.

Regarding claim 2, see Figs. 1-6 which show a compressed audio data reproduction apparatus wherein the compressed audio data includes compressed data having an extension by which a file type is identified, and bit stream compressed data typified by a compact disk (CD),

and the compressed form identification portion identifies the compression form for the compressed data having the extension based on the header information, and selects a predetermined compression form for the bit stream compressed data (see column 2, lines 12-65).

Regarding claim 6, see Figs. 14-19 which show a compressed audio data reproduction apparatus further comprising: a compressed data reading portion (see Unit 111) configured to read the compressed audio data from a recording medium in which the compressed audio data is recorded; and a D/A converter (see Audio D/A converter 119 in Figs. 1 or 6) configured to convert the data decoded by the decoders selected by the selector to an analog signal, the plurality of decoders (see decoders 212 and 213 in Figs. 1 or 6), the compression form identifying portion, the selector (see switch 211), and reading portion (unit 111), and the D/A converter (see converter 119) being contained in the same housing.

Regarding claim 8, see Figs. 1-6 which show a compressed audio data reproduction method for decoding and reproducing compressed audio data of a plurality of compression forms with decoders exclusive for the respective compression forms, the compressed audio data reproducing method comprising steps: identifying the compression form based on header information of the compressed audio data; and selecting the decoders corresponding to the identified compression form (see switch 211, decoders 212-214 in Figs. 2).

Regarding claim 9, see Figs. 1-6 which show a compressed audio data reproduction method decoding and reproducing compressed audio data of a plurality of compression forms with decoders exclusive for the respective compression forms wherein the compressed audio data includes compressed data having an extension by which a file type is identified, and bit stream compressed data typified by a compact disk (CD), and the step of identifying the compression

form identifies the compression form for the compressed data having the extension based on the header information, and selects the predetermined compression form for the bit stream compressed data (see column 2, lines 12-65).

Claims 1, 6 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Heo et al. (US 5,987,417).

Heo et al., according to Figs. 1-22, shows an optical recording apparatus comprising all features of the claimed invention.

Regarding claim 1, see Figs. 11-22 which show a compressed audio data reproduction apparatus comprising: a plurality of decoders (see Audio decoder 115 in Fig. 16) configured to decode compressed audio data of respective exclusive compression forms; a compression form identifying portion (see Fig. 14 and 15) configured to identify the compression form based on header information of the compressed audio data; and a selector (see Stream Selector 212 in Fig. 17) configured to select the decoders corresponding to the compression form identified by the compression form identifying portion from the plurality of decoders.

Regarding claim 6, see Figs. 14-19 which show a compressed audio data reproduction apparatus further comprising: a compressed data reading portion (see input data 211) configured to read the compressed audio data from a recording medium in which the compressed audio data is recorded; and a D/A converter (see converter 117) configured to convert the data decoded by the decoders selected by the selector to an analog signal, the plurality of decoders (see decoders 213 and 214), the compression form identifying portion, the selector (see selector 212), and reading portion (input data 211), and the D/A converter (see converter 117) being contained in the same housing.

Regarding claim 8, see Figs. 14-19 which show a compressed audio data reproduction method for decoding and reproducing compressed audio data of a plurality of compression forms with decoders exclusive for the respective compression forms, the compressed audio data reproducing method comprising steps: identifying the compression form based on header information of the compressed audio data (see Figs. 14 and 15); and selecting the decoders corresponding to the identified compression form.

***Allowable Subject Matter***

Claims 3-5, 7 and 10-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 3 and 10 are allowable over the prior art of record because all the cited references, considered as closest prior art and viewed considered in combination or individually, fails to suggest or fairly teach a compression audio data reproduction apparatus and method including a combination of all features as particularly recited in each of claims 1 or 10, lines 1-8.

Claim 7 is allowable over the prior art of record because all the cited references, considered as closest prior art and viewed considered in combination or individually, fails to suggest or fairly teach a compression audio data reproduction apparatus including a combination of: a CD reading portion, which is configured to read bit stream data recorded in a CD, disposed in a housing separate from a housing in which the plurality of decoders, the compression from identifying portion, the selector, the reading portion and the D/A converter are contained.

Claims 4, 5, 11 and 12 are allowable over the prior art of record because all the cited references, considered as closest prior art and viewed considered in combination or individually,

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fails to suggest or fairly teach a compressed audio data reproduction method for decoding and reproducing compressed audio data of a plurality of compression forms with decoders exclusive for the respective compression forms including a combination steps of identifying the compression form which stores a frame constitution inherent in each of different compression forms in a database, and searches for the database to identify the compression form as recited in each of claims 4 and 11, or identifying the compression form which identifies the compression form without utilizing a file management function of an operating system as recited in each of claims 5 and 12.

#### *Cited References*


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited references relate to an audio signal decoding apparatus and method for reproducing digital audio data.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bach Q Vuong whose telephone number is (703) 305-7355. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (703) 305-6137. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

BV  
January 15, 2004

  
**THANG V. TRAN**  
**PRIMARY EXAMINER**